

IN THE UNITED STATES PATENT AND TRADEMARK  
OFFICE PATENT OPERATIONS

In re: Bernd HABER *et al.*

International Application No.: PCT/EP2003/014714

International Filing Date: December 22, 2003

For: ***Dietary Foodstuff for Positively Influencing Cardiovascular Health***

Commissioner for Patents  
Alexandria, VA 22313-1450

Dear Sir:

Charlotte, NC 28211  
June 14, 2005

**INFORMATION DISCLOSURE STATEMENT**

Pursuant to Rule 56 and Rule 97 *et seq.*, Applicant hereby submits the attached Forms PTO/SB/08A and PTO/SB/08B and the references listed thereon. The references are in paper; also in PDF Format and Word on the enclosed CD. Applicant respectfully requests that each reference be reviewed and made of record in the attached Application.

This submission does not represent an admission that each or all of the listed documents are material or constitute "prior art." Applicant respectfully requests that each reference be reviewed and made of record in the instant application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-2193.

Respectfully submitted,

*Cathy Moore*

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PTO/SB/08A				Complete if Known 107538903			
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				Intn'l App. No.	PCT/EP 03/014714		
				Intn'l Filing Date	December 22, 2003		
				First Named Inventor	Bernd HABER		
				Group Art Unit			
				Examiner Name			
Sheet	1	Of	1 Sheet	Attorney Docket No.	02/084 NUT		

**U.S. PATENT DOCUMENTS**

Examiner Initials'	Cite No.	U. S. Patent Number	Kind Code	Name of Patentee or Applicant of Cited Document	Publication Date	Class	Sub Class
		4,027,009		Grier, et al.	5/31/1977	424	78.08
		4,231,938		Monaghan et al.	11/04/1980	260	343.5
		4,346,227		Terahara et al.	08/24/1982	560	119
		4,444,784		Hoffman et al.	04/24/1984	424	279
		5,998,400		Brieaddy et al.	12/07/1999	514	211
		6,087,353		Stewart et al.	07/11/2000	514	182
		6,221,897		Frick et al.	04/24/2001	514	431
		6,277,831		Frick et al.	08/21/2001	514	431

**FOREIGN PATENT DOCUMENTS**

Examiner Initials'	Cite No.	Office Code	Foreign Patent Document Number	Kind	Name of Patentee or Applicant of Cited Document	Publication Date	Class	Subclass	T6
		WO	91/07398	A1	Novo Nordisk	06/30/1991	C07D	401/04	X
		WO	91/11918	A1	Martek Corp.	08/22/1991	A23L	1/054	X
		WO	96/33263 =US6,582,941	A1	Agency Ind Science Techn	02/11/1998	A23K	1/161	
		WO	96/38047	A1	Unilever	06/01/1995	A23D	9/00	X
		WO	99/56558	A1	Raisio Benecol OY	07/08/2003	A23D	9/007	X
		WO	98/03671		Nagase Biochemicals, LTD	01/29/1998	C12P	7/64	X
		EP	0 616 780		Compania General Del Algarrobo	09/28/1994	A23L	1/308	X
		JP	60-196157		Amano Seiyaku	10/04/1985	A23L	1/03	
		JP	63-216490		Sagami Chem. Res. Ctr.	09/08/1988	C12P	7/64	
		JP	2000/245442		Sagami Chem. Res. Ctr.	09/12/00	C12n	1/20	
		JP	2001/309797		Nat. Institute of Advanced Industrial Science & Tech.	11/06/2001	C12P	7/64	

Examiner Signature

Date Considered

10 / 538903

PTO/SB/08B		Compliant with 10/53890	
<b>Substitute for Form 1449A/PTO</b> <b>INFORMATION</b> <b>DISCLOSURE STATEMENT</b> <b>BY APPLICANT</b>		International App. No.	PCT/EP2003/014714
		International Filing Date	December 22, 2003
		First Named Inventor	Bernd HABER
		Group Art Unit	
		Examiner Name	
Sheet	1	OF	1
		Attorney Docket Number	
		02/084 NUT	

#### **OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS**

Examiner Initials <sup>3</sup>	Cite No.	Include name of the author (in CAPITAL LETTERS), Title of the Article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published	T6
		Brown et al. 1999; Am. J. Clin. Nutr. 69: pp 30-42	x
		Zunft et al. 2001, Adv. In Ther. 18: pp 230-36	x
		GISSI-Prevenzione Investigators (Gruppo Italiano per lo Studio della Sopravvivenza nell'Infarto miocardico), Dietary supplementation with n-3 polyunsaturated fatty acids and vitamin E after myocardial infarction: results of the GISSI-prevenzione trial. Lancet. 1999; 354: pp 447-455	x
		Burr et al., Effects of changes in fat, fish and fibre intake on death and myocardial reinfarction: diet and reinfarction trial (DART), The Lancet, 1989, pp 757-761	x
		Gylling and Miettinen, Curr Control Trials Cardiovasc Med 2001, pp 123-128	x
		(V. Bartz 2002, Ernährung & Medizin 17, pp 149-150	
		Peres-Olleros et al. 1999; J. Sci. Food Agric. 79, pp 173-178	x
		Tonon et al., Long chain polyunsaturated fatty acid production and partitioning to triacylglycerols in four microalgae. Phytochemistry 2002, pp 15-24	x
		Cho and Mo, Screening and characterization of eicosapentaenoic acid-producing marine bacteria, Biotechnology Letters 1999, pp 215-218	x

**EXAMINER:** Initial citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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